

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Third Periodic Review of the)	MB Docket No. 07-91
Commission's Rules and Policies)	
Affecting the Conversion)	
To Digital Television)	

To: Secretary, FCC

COMMENTS

South Carolina Educational Television Commission ("SCETV"), by its attorneys, provides these comments in response to the *Notice of Proposed Rulemaking* in the referenced docket, FCC 07-70 (released May 18, 2007) ("*NPRM*").

SCETV applauds the FCC's determination to have a strong DTV system in place across the country on the February 17, 2009 digital transition deadline. SCETV fully supports that goal and expects that its public television stations will be in place with their digital facilities on their permanent DTV channels by the deadline. However, SCETV urges the FCC to exercise its discretion under the law establishing the transition deadline to provide substantially more flexibility and accommodation to stations regarding the process and timing of their achieving their "ultimate" or "final" DTV transmission facilities, and regarding what those facilities will be. SCETV also urges the FCC in the case of one of its stations to allow SCETV to apply for upgraded facilities as compared to what is proposed in the DTV

Table of Allotments, so that those so facilities can be put into place by the transition deadline.

BACKGROUND

SCETV is the licensee of eleven public television stations in South Carolina – WEBA-TV/DT in Allendale, WHMC-TV/DT in Conway, WITV(TV)/DT in Charleston, WJPM-TV/DT in Florence, WJWJ-TV/DT in Beaufort, WHEH(TV)/DT in Greenwood, WNSC-TV/DT in Rock Hill, WNTV(TV)/DT in Greenville, WRET-TV/DT in Spartanburg, WRJA-TV/DT in Sumter and WRLK-TV/DT in Columbia. These are PBS member stations which broadcasts a wide variety of high-quality news, public affairs, informational, educational and entertainment programming, including children’s programming, throughout the state of South Carolina.

In the case of ten of SCETV’s DTV stations – all but WITV-DT in Charleston – the pre-transition DTV channel is the same as the proposed permanent DTV channel, and “full” authorized facilities have been constructed and licensed in accordance with the allotments specified in the Final DTV Table just released by the FCC.

In the case of WITV-DT in Charleston, however, SCETV will be modifying its DTV operations to the station’s analog channel (Channel *7) at the end of the transition, (pre-transition DTV operations have been on Channel *49). SCETV does

not anticipate difficulty in making that change, which will involve using the antenna now in place for WITV(TV), but it would like to be able to apply for a power increase prior to the changeover, so that it can construct WITV-DT at what SCETV hopes is its final and maximized facility at one time, rather than piecemeal. The Final DTV Table of Allotments specifies WITV-DT to operate on Channel *7 at 12 kW and 562 m HAAT, while SCETV believes that existing equipment and interference considerations would permit a power level of up to 20 kW, which would permit WITV-DT to replicate its original Channel *49 DTV allotment coverage.

COMMENTS

I. The FCC should be flexible in the process for and timing of construction of final DTV facilities.

SCETV urges the FCC to exercise its discretion under the Digital Television and Public Safety Act of 2005, Title III of the Deficit Reduction Act of 2005, Pub. L. No. 109-171, 120 Stat. 4 (2006), which established the February 17, 2009 digital transition deadline, by providing substantial flexibility to stations regarding the process for and timing of their achieving their “ultimate” or “final” DTV transmission facilities.

As the FCC can see from the description above, SCETV has to move WITV-DT to operate on its analog channel, and it is never possible fully to anticipate what issues might unexpectedly arise as part of that process. Certainly, there are issues of timing of the shutting down of WITV(TV) and the activation of WITV-DT on the formerly analog channel.

SCETV urges the FCC to be as flexible as the law allows, focusing on identifying and addressing ways to facilitate a smooth transition in February of 2009, and facilitating each station's own path and timing in achieving its final DTV facilities.

II. The FCC should accommodate, as soon as possible, upgrades to existing DTV stations beyond those facilities specified in the DTV Table.

As noted above, SCETV would also like to have an opportunity to maximize coverage of WITV-DT at some point, and it believes that it should have an opportunity to evaluate its options and apply for authority to upgrade WITV-DT coverage as soon as possible. It simply makes no sense for SCETV, as of the transition deadline, to build WITV-DT facilities on Channel *7 with the currently proposed allotment power level (12 kW), only to have to re-build those facilities later with greater power, if these facilities can be used initially without causing interference to any other station.

CONCLUSION

SCETV urges the FCC to adopt flexible rules consistent with the comments above.

Respectfully submitted,

**SOUTH CAROLINA EDUCATIONAL
TELEVISION COMMISSION**

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